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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------|-------------|----------------------|---------------------|------------------|
| 09/819,195 | 03/28/2001 | Takehiko Fujiyama | FUJA 18.522 | 2914 |
| 26304 | 7590 | 10/25/2004 | EXAMINER | |
| KATTEN MUCHIN ZAVIS ROSENMAN | | | LY, ANH VU H | |
| 575 MADISON AVENUE | | | ART UNIT | |
| NEW YORK, NY 10022-2585 | | | PAPER NUMBER | |
| | | | 2667 | |

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,195

Applicant(s)

FUJIYAMA ET AL.

Examiner

Anh-Vu H Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3-4</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Ex Parte Quayle

This application is in condition for allowance except for the following formal matters:

Claim Objections

1. Claims 1 and 2 are objected to because of the following informalities:

With respect to claim 1, in lines 30-33 "based on the request for transmission of the each intermediate equipment which is written in the token packet of the packet trailer transmitted from the opposite terminal equipment" is unclear. First of all, it is unclear whether the request is generated by intermediate equipment or not. Second, it is unclear what the opposite terminal equipment being referred to.

With respect to claim 2, similar ambiguities are applied as stated in the objection of independent claim 1. Appropriate correction is required.

Allowable Subject Matter

2. Claims 1-10 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not teach or fairly suggest wherein, when a request for transmission for transmitting data packets to the right direction is generated, each intermediate equipment writes the request for transmission in the token packet of the packet trailer on the left direction; and when the request for transmission for transmitting data packets to the left direction is generated; each intermediate equipment writes the request for transmission in the token packet of the packet trailer on the right direction line; and wherein the left and right terminal equipments prepare the

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packet trailer having data packet storage area to ensure a reservation area for the intermediate equipment which transmitted the request for transmission, as specified in independent claim 1.

The prior art does not teach or fairly suggest means for preparing packet trailers each having a storage area to store token packets and data packets and for transmitting the packet trailers on the two way transmission line when the transmission apparatus operates as a terminal equipment and wherein the transmission apparatus comprises means for writing the request for transmission in the token packet of the packet trailer directed to the direction opposite to the data transmitting direction, when the transmission apparatus operates as the intermediate equipment, and when the request for transmission of the data packets is generated, as specified in independent claim 2.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakai et al (US Patent No. 6,005,869) discloses a communication network.

Asano (US Patent No. 6,032,185) discloses bus network with a control station utilizing tokens to control the transmission of information between network stations.

Tomizawa et al (US Patent No. 6,202,082 B1) discloses trunk transmission network.

Sun et al (US Patent No. 6,751,213 B1) discloses token over Ethernet protocol.


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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

avl


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 10/21/07